

Award No. 32
Case No. 32

Public Law Board No. 2203

PARTIES
TO
DISPUTE:

Brotherhood of Maintenance of Way Employees

and

Consolidated Rail Corporation

STATEMENT
OF
CLAIM:

(a) The Carrier violated the Rules Agreement effective April 15, 1944, as modified September 1, 1949, January 22, 1974 and March 4, 1976, particularly Rules 1-Scope, 2-Seniority, 2-d-3-Seniority Districts, 2-e-1 and others, when six (6) former CRR of NJ unprotected Trackmen were used on the former Lehigh Valley Railroad at Roselle Park, N.J., changing rail and guard rail between 7:00 a.m. and 3:30 p.m., April 12, 1977.

(b) As the result of such violation, Trackmen: A. Malone, J. Loughlin, J. Crane, E. McDonald, R. Eorio, and F. Santos, be compensated at the applicable rate, for April 12, 1977.

FINDINGS:


For the reasons mentioned in Award 29, which con-

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cerns the same issues, rules, contentions and defect in proof as are now before us, this claim will be denied.

AWARD: Claim denied.

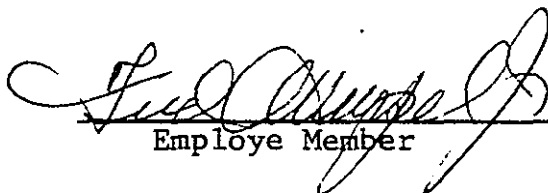
Adopted at Philadelphia, Pa., *Sept. 17,* 1979.



Harold M. Weston, Chairman



Carrier Member



Employee Member